

**CONGRATULATORY RESOLUTION**

**S.R. 194** - By Short: Extending congratulations to the Permian High School football team.

**ADJOURNMENT**

On motion of Senator Brooks the Senate at 11:40 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

**APPENDIX**

Sent to Governor  
(January 30, 1981)

**S.B. 1**  
**S.B. 3**

(February 2, 1981)

**S.C.R. 11**  
**S.C.R. 23**  
**S.C.R. 24**

Signed by Governor  
(January 30, 1981)

**S.B. 1**      Effective immediately  
**S.B. 3**      Effective immediately

**THIRTEENTH DAY**  
(Tuesday, February 3, 1981)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Farabee, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Vale, Williams, Wilson.

Absent-excused: Anájar, Glasgow, Mengden.

A quorum was announced present.

The Reverend Dr. John Shouse, University Baptist Church, Austin, offered the invocation as follows:

Almighty God —

Knowing that if we fail to look to something higher than ourselves, we will sink to something lower,

And that those who do not stand for something fall for anything.

We pause this morning before Thee who ruleth over all the affairs of states.

May we in this session look beyond special interests to see Thy interests

May privilege always be exercised in light of the trust which granted it

May our own sense of importance never replace for us Thy sense of purpose

And realizing that we live by mercy, may we never fail to show mercy, even as Thou hast shown it to us through Jesus Christ before whom we all are subject. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### LEAVES OF ABSENCE

Senator Andujar was granted leave of absence for today on account of illness on motion of Senator Meier.

Senator Glasgow was granted leave of absence for today on account of important business on motion of Senator Short.

Senator Mengden was granted leave of absence for today on account of important business on motion of Senator Harris.

#### MESSAGE FROM THE HOUSE

House Chamber  
February 3, 1981

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**H.C.R. 4**, Granting the Texas DeMolay Association use of the chambers of the House and Senate on February 21-22, 1981, for Government Day activities.

**H.C.R. 35**, Commending the Honorable Richard C. Slack on service in the Texas Legislature.

**H.C.R. 36**, Expressing support for federal grant to construct a solar repowering facility in El Paso.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### CO-AUTHOR OF SENATE BILL 13

On motion of Senator Traeger and by unanimous consent, Senator Kothmann will be shown as Co-author of S.B. 13.

**CO-AUTHORS OF SENATE BILL 58**

On motion of Senator Doggett and by unanimous consent, Senators Brown, Vale, Mauzy, Truan, Short, Traeger and Brooks will be shown as Co-authors of S.B. 58.

**CO-AUTHOR OF SENATE BILL 121**

On motion of Senator Glasgow and by unanimous consent, Senator Travis will be shown as Co-author of S.B. 121.

**CO-AUTHOR OF SENATE BILL 124**

On motion of Senator Blake and by unanimous consent, Senator Travis will be shown as Co-author of S.B. 124.

**CO-AUTHOR OF SENATE BILL 126**

On motion of Senator Kothmann and by unanimous consent, Senator Travis will be shown as Co-author of S.B. 126.

**CO-AUTHOR OF SENATE BILL 127**

On motion of Senator Meier and by unanimous consent, Senator Travis will be shown as Co-author of S.B. 127.

**CO-AUTHOR OF SENATE BILL 151**

On motion of Senator Farabee and by unanimous consent, Senator Brown will be shown as Co-author of S.B. 151.

**CO-AUTHORS OF SENATE BILL 209**

On motion of Senator Snelson and by unanimous consent, Senators Kothmann, Short and Doggett will be shown as Co-authors of S.B. 209.

**CO-AUTHOR OF SENATE BILL 308**

On motion of Senator Traeger and by unanimous consent, Senator Short will be shown as Co-author of S.B. 308.

**SENATE RESOLUTION 203**

Senator Williams offered the following resolution:

WHEREAS, The Senate of the State of Texas is honored today by the presence of Lindon Williams II; and

WHEREAS, Lindon is in the Capital City to observe the Texas Legislature in Regular Session; now, therefore, be it

RESOLVED, That the Senate of the State of Texas bestow on Lindon the position of "Honorary Page" for the day; and, be it further

RESOLVED, That a copy of this Resolution, bearing the seal of the Senate be prepared for Lindon as a memento of his visit in the Texas Senate.

The resolution was read and was adopted.

**HOUSE CONCURRENT RESOLUTION 4**

The President laid before the Senate the following resolution:

**H.C.R. 4**, Granting the Texas DeMolay Association use of the chambers of the House and Senate on February 21-22, 1981, for Government Day activities.

The resolution was read.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted.

## REPORTS OF STANDING COMMITTEES

Senator Jones submitted the following report for the Committee on Finance:

**S.B. 103**  
**S.B. 71**  
**S.B. 51**  
**C.S.S.B. 58** (Read first time)  
**C.S.S.B. 209** (Read first time)

Senator Glasgow, Acting Chairman, submitted the following report for the Committee on Human Resources:

**S.B. 26**

Senator Brooks submitted the following report for the Committee on Human Resources:

S.B. 93  
S.B. 94  
S.B. 152  
S.B. 57

Senator Farabee submitted the following report for the Committee on State Affairs:

**S.B. 145**  
**S.B. 235**  
**S.B. 234**  
**S.B. 282**  
**C.S.S.B. 148 (Read first time)**

## SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

**S.B. 343 by Short** Economic Development  
Relating to the creation, administration, powers, duties, and financing of the  
Texas Public School Employees Group Insurance Program.

**S.B. 345** by Caperton Human Resources  
Relating to the correction of certain errors on certificates of birth.

**S.B. 347** by Jones State Affairs  
Relating to the compensation of the lieutenant governor.

**S.B. 349** by Traeger Intergovernmental Relations  
Relating to the establishment, funding, and uses of a judicial expense fund for the 25th and Second 25th District Courts.

**S.B. 351** by Traeger Economic Development  
Relating to the maximum amount of life insurance coverage that can be sold to an individual under a group policy.

**S.B. 353** by Ogg Jurisprudence  
Relating to the authority of investigators appointed by district attorneys, criminal district attorneys and county attorneys to serve process in criminal cases; and declaring an emergency.

**S.B. 355** by Ogg Finance  
Relating to the sales and use tax exemption of certain nonprofit organizations and organizations qualifying for exemption from federal income taxation.

**S.B. 357** by Travis Finance  
Relating to state contributions for health insurance premiums for certain public school employees.

**S.B. 358** by Mauzy State Affairs  
Relating to the right of fire and police personnel to engage in certain political activities.

**S.B. 359** by Brooks Human Resources  
Relating to continuation of the Texas State Board of Examiners of Psychologists and regulation of psychologists.

**S.B. 360** by Mauzy Jurisprudence  
Relating to selection of persons for jury service.

**S.B. 361** by Mauzy Finance  
Relating to state funding of instructional television in public schools.

**S.J.R. 13** by Jones State Affairs  
Proposing a constitutional amendment relating to the compensation and allowances of members of the legislature and the lieutenant governor.

#### HOUSE RESOLUTION ON FIRST READING

The following resolution received from the House was read the first time and referred to the Committee indicated:

**H.C.R. 36**, To Committee on Natural Resources.

#### RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolutions:

H.C.R. 30  
H.C.R. 26  
H.C.R. 9  
H.C.R. 17  
H.C.R. 22  
H.C.R. 29

**COMMITTEE SUBSTITUTE SENATE BILL 125 ON SECOND READING**

Senator Farabee moved that Senate Rules 12 and 89 be suspended and that C.S.S.B. 125 be taken up for consideration at this time:

**C.S.S.B. 125**, Relating to the organization of the Board of Pardons and Paroles and the administration of the parole system. (Submitted by the Governor as an emergency)

The motion prevailed by the following vote: Yeas 25, Nays 2.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Farabee, Harris, Howard, Jones, Kothmann, Leedom, McKnight, Meier, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Vale, Williams, Wilson.

Nays: Mauzy, Truan.

Absent-excused: Andujar, Glasgow, Mengden.

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend Committee Substitute Senate Bill No. 125, SECTION 5, page 8, by inserting the following new subsections and renumbering the remainder of SECTION 5.

(i) The halfway houses shall include a pilot project for selected inmates over fifty-five years of age, in order to assist these elderly persons in obtaining parole by providing transitional living arrangements and possible suitable employment.

(j) Funding for this pilot project for parole for the elderly should come from the Criminal Justice Division of the Governor's Office. The funding agency should evaluate the performance of the pilot project at the end of two years of operation and provide recommendations to the Governor and the Legislature regarding the need and value of continuing the project.

The amendment was read and was adopted.

Senator Brooks offered the following amendment to the bill:

Amend Committee Substitute Senate Bill No. 125 by striking SECTION 4 and renumbering the remainder of the sections.

The amendment was read.

On motion of Senator Farabee the amendment was tabled by the following vote: Yeas 20, Nays 7.

Yeas: Blake, Brown, Farabee, Harris, Howard, Jones, Kothmann, Leedom, McKnight, Meier, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Williams, Wilson.

Nays: Brooks, Caperton, Doggett, Mauzy, Ogg, Truan, Vale.

Absent-excused: Andujar, Glasgow, Mengden.

Senator Jones offered the following amendment to the bill:

Amend C.S.S.B. 125 by inserting a new Section 5 and renumbering the present Section 5 to Section 6 and subsequent sections accordingly.

“Section 5. Section 14. Article 42.12, Code of Criminal Procedure, 1965, as amended, is amended to read as follows:

The necessary office quarters shall be provided for the Board in the manner that the same are furnished to other departments, boards, commissions, bureaus and offices of the State. After December 31, 1982, the headquarters of the Board shall be in Walker County, Texas.”

The amendment was read.

On motion of Senator Farabee the amendment was tabled by the following vote: Yeas 18, Nays 9.

Yeas: Brooks, Brown, Caperton, Doggett, Farabee, Harris, Kothmann, Leedom, Mauzy, Meier, Parker, Richards, Santiesteban, Sarpalius, Snelson, Travis, Truan, Williams.

Nays: Blake, Howard, Jones, McKnight, Ogg, Short, Traeger, Vale, Wilson.

Absent-excused: Andujar, Glasgow, Mengden.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### COMMITTEE SUBSTITUTE SENATE BILL 125 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 125 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Glasgow, Mengden.

The bill was read third time and was passed.

**MESSAGE FROM THE HOUSE**

House Chamber  
February 3, 1981

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**S.B. 143**, Relating to the election of the boards of trustees of certain independent school districts. (With amendments)

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

**SENATE BILL 9 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 9**, Relating to the valuation and depreciation of certain state bank property.

The bill was read second time and was passed to engrossment.

**SENATE BILL 9 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 9** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Glasgow, Mengden.

The bill was read third time and was passed.

**SENATE CONCURRENT RESOLUTION 1 ON SECOND READING**

On motion of Senator Harris and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time:

**S.C.R. 1**, Granting Natkin & Company permission to sue the State of Texas.

The resolution was read second time and was adopted.



**SENATE CONCURRENT RESOLUTION 3 ON SECOND READING**

On motion of Senator Harris and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time:

**S.C.R. 3**, Granting Billie Herrin permission to sue the State of Texas.

The resolution was read second time and was adopted.

**COMMITTEE SUBSTITUTE SENATE BILL 102 ON SECOND READING**

On motion of Senator Jones and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 102**, Relating to fees for indexing names on assumed business or professional name certificates.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 102 ON THIRD READING**

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 102** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Glasgow, Mengden.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 0.

Absent-excused: Andujar, Glasgow, Mengden.

**MEMORIAL RESOLUTIONS**

**S.R. 205** - By Farabee: Memorial resolution for Dr. Charles Brown.

**S.R. 206** - By Farabee: Memorial resolution for Gene Richie.

**S.R. 207** - By Farabee: Memorial resolution for Adolph Swartz.

**S.R. 208** - By Farabee: Memorial resolution for W. A. Streich.

**S.R. 210** - By Ogg, Brooks: Memorial resolution for Dr. June Hyer.

**WELCOME RESOLUTIONS**

**S.R. 204** - By Wilson: Extending welcome to Dr. F. L. Merian, "Capitol Physician" for today.

**S.R. 209** - By Brown: Extending welcome to the First Baptist Christian Day School of League City.